

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION  
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT  
SECURITIES LLC,

Defendant.

Adv. Pro. No. 08-01789 (SMB)

SIPA LIQUIDATION

(Substantively Consolidated)

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the  
Liquidation of Bernard L. Madoff Investment  
Securities LLC,

Plaintiff,

v.

THE ESTATE (SUCCESSION) OF DORIS  
IGOIN, LAURENCE APFELBAUM,  
individually and in her capacities as executor and  
beneficiary of the Estate (Succession) of Doris  
Igoi, and EMILIE APFELBAUM,

Defendants.

Adv. Pro. No. 10-04336 (SMB)

**STIPULATION AND ORDER FOR VOLUNTARY DISMISSAL  
OF ADVERSARY PROCEEDING WITHOUT PREJUDICE**

Irving H. Picard (the “Trustee”), as trustee for the liquidation of Bernard L. Madoff Investment Securities LLC (“BLMIS”) under the Securities Investor Protection Act, 15 U.S.C. §§ 78aaa-III (“SIPA”) and the substantively consolidated chapter 7 estate of Bernard L. Madoff (“Madoff,” and together with BLMIS, the “Debtors”), by and through his undersigned counsel, and defendants Laurence Apfelbaum and Emilie Apfelbaum (Laurence Apfelbaum and Emilie Apfelbaum, the “Transferees,” and together with the Trustee, the “Parties”), by and through their undersigned counsel, hereby stipulate and agree to the following:

1. On November 30, 2010, the Trustee filed a complaint in the above-captioned adversary proceeding in which he asserted claims against the Estate (Succession) of Doris Igoine, Laurence Apfelbaum, and Emilie Apfelbaum (the “Claims”).
2. On June 2, 2017, the parties entered into an agreement to settle the Claims.
3. On June 23, 2017, this Court entered an Order approving the settlement agreement between the Trustee, on the one hand, and the Transferees, on the other hand (the “Apfelbaum Settlement”) (ECF No. 191).
4. In accordance with Rule 7041 of the Federal Rules of Bankruptcy Procedure and Rule 41(a)(1)(ii) of the Federal Rules of Civil Procedure, the Parties hereby stipulate to the dismissal without prejudice of the claims, with each party bearing its own costs, attorneys’ fees, and expenses, subject to the right of the Trustee to seek to re-open this Adversary Proceeding<sup>1</sup> to seek entry of the Judgment pursuant to the Stipulation for Entry of Judgment in accordance with the terms of the Settlement Agreement.

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<sup>1</sup> Capitalized Terms not otherwise defined herein shall have the meanings ascribed in the Settlement Agreement.

5. The provisions of this Stipulation shall be binding upon and shall inure to the benefit of the Parties and their respective successors and assigns and upon all creditors and parties of interest.

6. This Stipulation may be signed by the Parties in any number of counterparts, each of which when so signed shall be an original, but all of which shall together constitute one and the same instrument. A signed facsimile, photostatic or electronic copy of this Stipulation shall be deemed an original.

Dated: September 20, 2017  
New York, New York

BAKER & HOSTETLER LLP

/s/ Ona T. Wang

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Securities LLC and the Chapter 7  
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Emilie Apfelbaum*

Dated: September 20, 2017  
New York, New York

**SO ORDERED**

/s/ Stuart M. Bernstein

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HON. STUART M. BERNSTEIN  
UNITED STATES BANKRUPTCY JUDGE